

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA

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DEBRA P. HIGHTHACK
CLERK OF U.S. DISTRICT COURT

Cedric Pugh # 182373
Full name and prison number
of plaintiff(s)
v.
Alabama Corr. Industries
A.D.O.C. Comm. Butch Calloway
A.C.I. Supervisor, Freddie Nunn
A.C.I. Supervisor, Danny Donovan
M.D. Peasant, Prison Health Serv.
M.D. Chung; M.D. Rios
Name of person (s) who violated
your constitutional rights.
(List the names of all the
persons.)

Jury Trial Demanded by Plaintiff

CIVIL ACTION NO. 2:06cv363-MEF
(To be supplied by Clerk of
U.S. District Court)

Defendants Sued in their Individual
and Official Capacities.

I. PREVIOUS LAWSUITS

- A. Have you begun other lawsuits in state or federal court dealing with the same or similar facts involved in this action? YES () NO (xxx)
- B. Have you begun other lawsuits in state or federal court relating to your imprisonment? YES () NO (xxx)
- C. If your answer to A or B is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiff(s) N/A

Defendant(s) N/A

2. Court (if federal court, name the district; if state court, name the county) N/A
3. Docket number N/A
4. Name of judge to whom case was assigned N/A
5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) N/A
6. Approximate date of filing lawsuit N/A
7. Approximate date of disposition N/A

II. PLACE OF PRESENT CONFINEMENT; Elmore Correctional Facility
P.O. Box 8, Elmore, Alabama 36025

PLACE OF INSTITUTION WHERE INCIDENT OCCURRED Elmore Correctional Facility, Alabama Correctional Industries, Meat Plant/Processing

III. NAME AND ADDRESS OF INDIVIDUAL(S) YOU ALLEGE VIOLATED YOUR CONSTITUTIONAL RIGHTS.

NAME	ADDRESS
A.C.I. ₁ , Comm. Butch Calloway, Al.D.O.C., 301 So. Ripley St., Mont. Al. 36130	
A.C.I. ₂ , Super. Freddie Nunn, A.C.I. Meat Plant, Elmore, Al. 36025	
A.C.I. ₃ , Super. Danny Donovan, A.C.I. Meat Plant, Elmore, Al. 36025	
M.D. Peasant, S.H.C.U., 'P.H.S., Inc.', P.O. Box 56, Elmore, Al. 36025	
M.D. Hilio E. Rios, Baptist Medical Center 'South', P.O. Box 241145, Mont. Al. 36124	
M.D. Tai Q. Chung, 6936 Winton Blount Blvd. Mont. Al. 36117	

IV. THE DATE UPON WHICH SAID VIOLATION OCCURRED 02/23/06; 02/25/06; 03/02/06; To present.

V. STATE BRIEFLY THE GROUNDS ON WHICH YOU BASE YOUR ALLEGATION THAT YOUR CONSTITUTIONAL RIGHTS ARE BEING VIOLATED:

GROUND ONE: "See; Attachment to the Complaint"

SUPPORTING FACTS: "See; Attachment to the Complaint"

GROUND TWO: "See; Attachment to the Complaint"

SUPPORTING FACTS: "See; Attachment to the Complaint"

VI. STATE BRIEFLY EXACTLY WHAT YOU WANT THE COURT TO DO FOR YOU. MAKE NO LEGAL ARGUMENT. CITE NO CASES OR STATUTES.

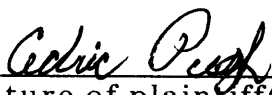
1.) "Compensatory Damages", Plaintiff seeks \$100,000.00 dollars
for the loss of this plaintiffs fingertip, And the Pain and
suffering caused by the Injury.

2.) "Punitive Damages", Plaintiff seeks an additional \$100,000.00
dollars for the defendants reckless and callous disregard for
the rights of this plaintiff. ** Injunctive relief, Attached**

Signature of plaintiff(s) ; Cedric Rugh #182373

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on 4-20-06
(Date)


Signature of plaintiff(s)

Attachment to the U.S.C.A. §1983 Civil Complaint

This Plaintiff Avers, That his 8th Amendment right under the United States Constitution, To be free from cruel and unusual punishment has been violated by the named defendants.

Cedric Pugh, From herein known as the plaintiff, Alleges the following:

On or About, 02/23/06, Plaintiff was instructed to operate machinery at the A.C.I., [Alabama Correctional Industries] Meat processing plant located in Elmore, Alabama.

Plaintiff was not trained in the operation of said machinery, Nor was he instructed/orientated on the dangers of said machinery. This plaintiff while loading frozen meat by products into a "Chipper", Which breaks up the frozen meat by products, In order that the meat can be processed into "Meat Patties" and other meat products, For distribution thruout the Alabama State Prison system, Was injured due to a lack of safety devices, And precautionary training in the operation of said machinery.

This plaintiffs gloved hand was caught in the "Chipper", Resulting in this Plaintiffs finger being stripped of the flesh to the bone, And causing the finger bone to be chipped.

The plaintiff was transported to the Staton Prison Health Care Unit [H.C.U.], His finger bandaged, And then transported to defendant, Baptist Medical Center, South, To be admitted to the Emergency room, Upon arrival, And an approximate (4) four hour wait, This plaintiff was seen by defendant, Julio E. Rios, A medical doctor employed by baptist Medical center, South, Whom is contracted by the Alabama Dept. of Corrections in emergency situations. After examination, This plaintiffs finger tip was bandaged and he was released, Julio E. Rios, M.D., Told this plaintiff there was nothing more he could do, And that their is nothing more he [Defendant Rios] could do. **[This Plaintiff reminds the court that he is an inmate]**

Upon being returned to The Staton Health Care Unit, This Plaintiff was advised that he would be taken to another 'Freeworld' doctor, Defendant, Tai Q. Chung, Upon being examined by Defendant Chung, This plaintiff was informed that he did in fact have a "Chipped"

bone in his finger,And would in fact require surgery and a skin graft.

This Plaintiff was again returned to the Staton Health Care Unit,Where he was admitted for several days to await the Surgery diagnosed by defendant Chung.

On 03/02/06,This plaintiff was transported to Baptist Medical Center,East to have the surgery prescribed by defendant Chung. Defendant Chung did remove the "Chipped" bone from this plaintiffs injured finger,However,The defendant did not do a skin graft,And left this plaintiffs fresh wound open,And the result was that this plaintiff has lost the flesh from the last digit of his finger,As well as a piece of the bone.

Upon this "Medical Treatment" being performed by defendant Chung, This plaintiff was once again,Transported back to the Staton Health Care Unit,And was prescribed an Antibiotic,Intraveneously administered,By Defendant Peasant,The Staton Health Care Unit Physician.The results of this Antibiotic,Was an Allergic reaction that caused this plaintiffs eyes to swell shut,And cause severe itching thruout this plaintiffs body.

The Plaintiff was immediatley taken off the intraveneous antibiotic, [By his own devices],And informed the medical staff of the allergic reaction,The defendant Peasant,Asked this plaintiff what he thought might be the problem,At this point,This plaintiff requested that he be released,And issued Antibiotic ointment and band-aids to care for his Injured finger himself.

Since this time,The plaintiff has had to deal with a gaping wound to his finger,That to this day has failed to heal properly and causes pain,The defendants have failed to follow up on this injury even though requested,Leaving this plaintiff no recourse but to seek injunctive relief,Compensatory Damages,And,Punitive Damages.

Each of the named defendants are being sued in their Individual and or Official capacities,Under the authorities of: **The 8th Amendment to the United States Constitution; Estelle v.Gamble,429 U.S.97,97 S.Ct.285(1976); Gregg v.Georgia,428 U.S.153,96 S.Ct.2909(1976); West v.Atkins,487 U.S.42,108 S.Ct.2250(1988); Ray v.Mabry,556 F.2d. 881(1977); Conner v.Donnelly,42 F.3d.220(4th Cir.1994);**Therefore this

courts jurisdiction has been established pursuant to 28 U.S.C. §§1341 & 1343(a)(3).

Relief / Damages sought

- 1.) "Compensatory Damages", Plaintiff seeks \$100,000.00 Dollars for the loss of this Plaintiffs fingertip, And the pain and suffering caused by the injury.
- 2.) "Punitive Damages", Plaintiff seeks an additional \$100,000.00 dollars for the defendants reckless and callous disregard for the rights of this plaintiff.
- 3.) "Injunctive Relief", Plaintiff seeks a Medical Appointment with a qualified Medical Doctor, Unrelated to the Defendants, In an attempt to ease the pain, And any reconstructive surgery that may be required to repair this plaintiffs fingertip.

Respectfully Submitted, Cedric Pugh
Cedric Pugh #182373
Pro/Se Plaintiff